

PROB 12C
(7/93)

United States District Court

for

District of New Jersey

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Gerardo Hernandez

Cr.: 95-231-01

Name of Sentencing Judicial Officer: Alfred M. Wolin

Date of Original Sentence: 1/26/96

Original Offense: Possession with Intent to Distribute Heroin

Original Sentence: 11 Years Imprisonment , 3 Years Supervised Release.

Type of Supervision: Supervised Release

Date Supervision Commenced: 11/17/04

Assistant U.S. Attorney: Albert Rivas

Defense Attorney: Gary Mizzone

PETITIONING THE COURT

☒ To issue a warrant

☐ To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance

- 1 The offender has violated the supervision condition which states '**You shall report to the probation officer as directed by the Court or probation officer, and shall submit a truthful and complete written report within the first five days of each month.**'

The offender failed to report to the probation office on 8/22/06, 9/12/06, 10/3/06, and thereafter.

- 2 The offender has violated the supervision condition which states '**As a condition of supervision, you are instructed to pay a fine in the amount of \$1000.**'

The offender has failed to make payments on the \$1,000 fine.

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The offender has violated the supervision condition which states 'The defendant shall refrain from the illegal possession and/or use of drugs and shall submit to urinalysis or other forms of testing to ensure compliance. It is further ordered that the defendant shall submit to drug treatment, on an outpatient or inpatient basis, as directed by the U.S. Probation Office. The defendant shall abide by the rules of any program and shall remain in treatment until satisfactorily discharged with the approval of the U.S. Probation Office.'


(a) The offender has reverted to drug abuse as evidenced by his own admission and by drug tests results positive for opiate use on 11/1/05 and opiate, cocaine, and hydromorphone use on 8/24/06.

(b) The offender has failed to keep outpatient drug treatment appointments at Integrity House on 8/14/06, 8/21/06, 8/28/06, and thereafter.

(c) The offender failed to keep an appointment for admission to the inpatient heroin detoxification unit at the Greenville Hospital on 8/28/06.


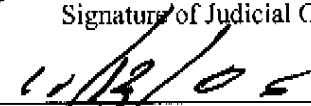
(d) The offender failed to keep an appointment for admission to the inpatient drug treatment program at Integrity House on 9/1/06.

I declare under penalty of perjury that the foregoing is true and correct.


By: Norma de Armas
Senior U.S. Probation Officer
Date: 10/12/06

THE COURT ORDERS:

- ☒ The Issuance of a Warrant
☐ The Issuance of a Summons. Date of Hearing: _____
☐ No Action
☐ Other


Signature of Judicial Officer

Date